

Notice of Allowability

Application No.

09/986,115

Examiner

Phylesha L. Dabney

Applicant(s)

BUOS ET AL.

Art Unit

2614

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 12/18/07.
2. ☒ The allowed claim(s) is/are 1,4-23,26-30,32,35,37,39-41 and 44.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

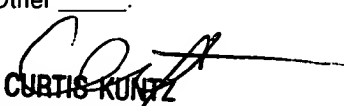
Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date 12-18-07
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____


CURTIS KUNTZ
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2800

DETAILED ACTION

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after allowance or after an Office action under *Ex Parte Quayle*, 25 USPQ 74, 453 O.G. 213 (Comm'r Pat. 1935). Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, prosecution in this application has been reopened pursuant to 37 CFR 1.114.

Applicant's submission filed on 6 September 2007 has been entered.

This action is in response to the Information Disclosure Statement filed on 18 December 2007 in which claims 1, 4-23, 26-30, 32, 35, 37, 39-41, 44 are pending, and claims 2-3, 24-25, 31, 33-34, 36, 38, 42-43, 45 are cancelled.

Reasons for Allowance

The following is an examiner's statement of reasons for allowance: The prior art of record (Yanagishima; U.S. Patent No. 4,514,599) fails to teach an inertial exciter comprising a coupler attached to a surface of the acoustic radiator; a voice coil assembly attached to the coupler, and a suspension attached to the coupler and magnetic assembly for supporting the magnet assembly adjacent to the voice coil assembly relative to the coupler, as substantially described and connected with the other functional language of claims 1, 4-23, 26-30.

Further, the prior art of record (Yanagishima; U.S. Patent No. 4,514,599) fails to teach a loudspeaker exciter assembly for a bending wave loudspeaker comprising a base plate configured to be mounted on the surface of a bending wave acoustic radiator in a non-repeatedly engageable manner; an exciter attached to said base plate in a repeatedly engageable manner,

wherein said exciter is engageable with said base plate via a releasable threaded connection, and a locking device for locking the threaded connecting, as substantially described and connected with the other functional language of claims 32, 35, 37.

Further still, the prior art of record fails to teach a bending wave loudspeaker comprising: a bending wave acoustic radiator; a base plate configured to be mounted on the surface of the acoustic radiator in a non- repeatedly engageable manner; an exciter attached to said base plate in a repeatedly engageable manner, wherein said exciter is engageable with said base plate via a releasable threaded connection; and a locking device for locking said threaded connection, as substantially described and connected with the other functional language of claims 39-41, 44.

In addition, the newly submitted prior art (Information Disclosure Statement, dated 12/18/07) fails to teach an an inertial exciter comprising a coupler attached to a surface of the acoustic radiator; a voice coil assembly attached to the coupler, and a suspension attached to the coupler and magnetic assembly for supporting the magnet assembly adjacent to the voice coil assembly relative to the coupler, as substantially described and connected with the other functional language of claims 1, 4-23, 26-30; a bending wave loudspeaker comprising a base plate configured to be mounted on the surface of a bending wave acoustic radiator in a non- repeatedly engageable manner; an exciter attached to said base plate in a repeatedly engageable manner, wherein said exciter is engageable with said base plate via a releasable threaded connection, and a locking device for locking the threaded connecting, as substantially described and connected with the other functional language of claims 32, 35, 37; or a bending wave loudspeaker comprising: a bending wave acoustic radiator; a base plate configured to be mounted on the surface of the acoustic radiator in a non- repeatedly engageable manner; an

exciter attached to said base plate in a repeatedly engageable manner, wherein said exciter is engageable with said base plate via a releasable threaded connection; and a locking device for locking said threaded connection, as substantially described and connected with the other functional language of claims 39-41, 44.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Phylesha L. Dabney whose telephone number is 571-272-7494. The examiner can normally be reached on Mondays, Wednesdays, Fridays 8:30-4 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Curtis Kuntz can be reached on 571-272-7499. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Any response to this action should be mailed to:
Commissioner of Patents and Trademarks
P O Box 1450
Alexandria, VA 22313-1450

Or faxed to:
(703) 273-8300, for formal communications intended for entry and for informal or draft communications, please label "Proposed" or "Draft" when submitting an informal amendment.

Hand-delivered responses should be brought to:
Customer Service Window
Randolph Building
401 Dulany Street
Alexandria, VA 22314

Application/Control Number:
09/986,115
Art Unit: 2614

Page 5

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

January 5, 2008


PLD


CURTIS KUNTZ
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600